

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

12349

APPLICATION 12389

PERMIT

LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE, CHANGE IN
POINT OF DIVERSION, AND AMENDING THE PERMIT

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use and a petition to add point of diversion on Kelsey Creek have been filed with the State Water Resources Control Board.
2. The permittee has proceeded with diligence and good cause has been shown for extension of time and for the said change.
3. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 4 of the permit is amended to read as follows:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 1, 1992

2. Paragraph 5 of the permit is amended to read as follows:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 1, 1996

3. Paragraph 4 of this permit regarding points of diversion is amended to read as follows:
 - 1.) Pomo Dam: North 461,600 and East 1,760,500, California Coordinate System Zone 2, being within NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34, T13N, R9W, MDB&M.
 - 2.) Detention Dam: North 486,740 and East 1,760,506 California Coordinate System, Zone 2, being within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3, T13N, R9W, MDB&M.
4. Paragraph 5 is added to this permit as follows:

Permittee shall install and maintain devices satisfactory to the State Water Resources Control Board to measure the quantities of water placed in underground storage, and the quantities of water subsequently recovered for beneficial use.

5. Paragraph 16 is added to this permit as follows:

The permittee shall develop a ground water management program that will be used to determine the quantities of water being diverted to and removed annually from underground storage. This will include implementation of well monitoring for determining the limits of the underground storage and measuring the quantity of water placed into underground storage by operation of diversion structures listed in this permit. This program shall be approved by the Chief of the Division of Water Rights on or before December 1, 1987.


The Board reserves jurisdiction to amend, revise, supplement or delete terms and conditions in this permit which would include redistribution of storage and suitable operational water supply criteria for the protection of vested rights and the public interest.

6. Paragraph 7 of this permit is deleted. A new Paragraph 7 is added as follows:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

Dated: APRIL 11 1986


Lloyd Johnson, Interim Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 12389

PERMIT 12349

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND
AMENDING THE PERMIT

WHEREAS:

1. A PETITION FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT AND APPLY THE WATER TO THE PROPOSED USE HAS BEEN FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.
2. THE PERMITTEE HAS PROCEEDED WITH DILIGENCE AND GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME.

NOW, THEREFORE, IT IS ORDERED THAT:

1. PARAGRAPH 3 OF THE PERMIT IS AMENDED TO READ AS FOLLOWS:

CONSTRUCTION WORK SHALL
COMMENCE ON OR BEFORE

DECEMBER 1, 1982

2. PARAGRAPH 4 OF THE PERMIT IS AMENDED TO READ AS FOLLOWS:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

DECEMBER 1, 1984

3. PARAGRAPH 5 OF THE PERMIT IS AMENDED TO READ AS FOLLOWS:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

DECEMBER 1, 1990

4. PARAGRAPH 7 OF THIS PERMIT IS DELETED. A NEW PARAGRAPH 7 IS ADDED AS FOLLOWS:

PURSUANT TO CALIFORNIA WATER CODE SECTIONS 100 AND 275, ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO, INCLUDING METHOD OF DIVERSION, METHOD OF USE, AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER.

THE CONTINUING AUTHORITY OF THE BOARD MAY BE EXERCISED BY IMPOSING SPECIFIC REQUIREMENTS OVER AND ABOVE THOSE CONTAINED IN THIS PERMIT WITH A VIEW TO MINIMIZING WASTE OF WATER AND TO MEETING THE REASONABLE WATER REQUIREMENTS OF PERMITTEE WITHOUT UNREASONABLE DRAFT ON THE SOURCE. PERMITTEE MAY BE REQUIRED TO IMPLEMENT SUCH PROGRAMS AS (1) REUSING OR RECLAIMING THE WATER ALLOCATED; (2) USING WATER RECLAIMED BY ANOTHER ENTITY INSTEAD OF ALL OR PART OF THE WATER ALLOCATED; (3) RESTRICTING DIVERSIONS SO AS TO ELIMINATE AGRICULTURAL TAILWATER OR TO REDUCE RETURN FLOW; (4) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES; (5) CONTROLLING PHREATOPHYTIC GROWTH; AND (6) INSTALLING, MAINTAINING, AND OPERATING EFFICIENT WATER MEASURING DEVICES TO ASSURE COMPLIANCE WITH THE QUANTITY LIMITATIONS OF THIS PERMIT AND TO DETERMINE ACCURATELY WATER USE AS AGAINST REASONABLE WATER

REQUIREMENTS FOR THE AUTHORIZED PROJECT. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD DETERMINES, AFTER NOTICE TO AFFECTED PARTIES AND OPPORTUNITY FOR HEARING, THAT SUCH SPECIFIC REQUIREMENTS ARE PHYSICALLY AND FINANCIALLY FEASIBLE AND ARE APPROPRIATE TO THE PARTICULAR SITUATION.

5. PARAGRAPH 13 IS ADDED TO THIS PERMIT AS FOLLOWS:

THE STATE WATER RESOURCES CONTROL BOARD, UNDER ITS AUTHORITY TO CONSERVE THE PUBLIC INTEREST, RETAINS CONTINUING AUTHORITY OVER THIS PERMIT TO REQUIRE PERMITTEE TO DEVELOP AND IMPLEMENT A WATER CONSERVATION PROGRAM, AFTER NOTICE AND OPPORTUNITY FOR HEARING. THE REQUIREMENTS OF THIS TERM MAY BE SATISFIED BY PERMITTEE'S COMPLIANCE WITH ANY COMPREHENSIVE WATER CONSERVATION PROGRAM, APPROVED BY THE STATE WATER RESOURCES CONTROL BOARD, WHICH MAY BE IMPOSED BY A PUBLIC AGENCY.

6. PARAGRAPH ~~14~~ ^{ARE} ~~15~~ ADDED TO THIS PERMIT AS FOLLOWS:

14. "FOR THE PROTECTION OF FISH AND WILDLIFE IN KELSEY CREEK, THE PERMITTEE SHALL DURING THE PERIOD:

A. FROM OCTOBER 1 TO MAY 31, BYPASS A MINIMUM OF 25 CUBIC FEET PER SECOND OR THE TOTAL STREAMFLOW INTO THE RESERVOIR, WHICHEVER IS LESS;

B. FROM JUNE 1 TO SEPTEMBER 30, BYPASS THE TOTAL STREAM INFLOW TO THE RESERVOIR." (0140060)

15. "THE OUTLETS FROM THE RESERVOIR SHALL BE DESIGNED IN CONSULTATION WITH THE DEPARTMENT OF FISH AND GAME WITH THE OBJECTIVE OF PRODUCING INSTREAM TEMPERATURES BELOW THE DAM NO HIGHER THAN 64°F. IT IS RECOGNIZED THAT THIS MIGHT NOT BE POSSIBLE IF THE RESERVOIR TEMPERATURES AT ALL DEPTHS EXCEEDS 64°." (0050500)

16. "A GRAVEL CATCHMENT BASIN WITH PROVISIONS FOR UPSTREAM AND DOWNSTREAM PASSAGE OF FISH SHALL BE CONSTRUCTED AT THE CONFLUENCE OF KELSEY CREEK AND THE UPPER END OF THE RESERVOIR. THE ANNUAL ACCRETION OF GRAVEL IN THIS CATCHMENT BASIN SHALL BE REMOVED IN JULY AND PLACED INTO KELSEY CREEK BELOW THE DAM. THE SPECIFIC LOCATION SHALL BE DETERMINED ANNUALLY BY NEGOTIATION." (0140500)

17. "RESERVOIR DRAWDOWN FROM MAY 15 TO JUNE 7 SHALL NOT EXCEED A RATE OF THREE INCHES PER WEEK IN DROP OF WATER LEVEL. THIS THREE-WEEK PERIOD MAY BE ADJUSTED FORWARD OR BACKWARD TO COINCIDE WITH THE BASS-SPAWNING PERIOD. WHEN THIS PROVISION CONFLICTS WITH THE TERMS OF STIPULATION 1, THIS STIPULATION 4 WILL GOVERN." (0400500)

18. "IN COMPLIANCE WITH FISH AND GAME CODE SECTION 5943, PERMITTEE SHALL ACCORD TO THE PUBLIC, FOR THE PURPOSE OF FISHING, REASONABLE RIGHTS OF ACCESS TO THE WATERS IMPOUNDED BY THE RESERVOIR DURING THE OPEN SEASON FOR THE TAKING OF FISH SUBJECT TO THE REGULATIONS OF THE FISH AND GAME COMMISSION." (0030064)

19. "IN ACCORDANCE WITH SECTION 1603 OF THE FISH AND GAME CODE, NO WATER SHALL BE DIVERTED UNDER THIS PERMIT UNTIL THE DEPARTMENT OF FISH AND GAME HAS DETERMINED THAT MEASURES NECESSARY TO PROTECT FISHLIFE HAVE BEEN INCORPORATED INTO THE PLANS AND CONSTRUCTION OF SUCH DIVERSION. THE CONSTRUCTION, OPERATION, OR MAINTENANCE COSTS OF ANY FACILITY REQUIRED PURSUANT TO THIS PROVISION SHALL BE BORNE BY THE PERMITTEE." (0000063)

20. "NO WATER SHALL BE DIVERTED UNDER THIS PERMIT UNTIL PERMITTEE HAS INSTALLED DEVICES, SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, WHICH ARE CAPABLE OF MEASURING THE FLOWS REQUIRED BY THE CONDITIONS OF THIS PERMIT. SAID MEASURING DEVICES SHALL BE PROPERLY MAINTAINED." (0060062)

DATED: APRIL 23 1981
Raymond Walsh
RAYMOND WALSH, CHIEF
DIVISION OF WATER RIGHTS

1. The purpose of this document is to provide information regarding the status of the project and the progress of the work. It is intended for the use of the project manager and the steering committee.

2. The project is currently in the planning phase and the following information is being provided:

3. The project is currently in the planning phase and the following information is being provided:

4. The project is currently in the planning phase and the following information is being provided:

5. The project is currently in the planning phase and the following information is being provided:

6. The project is currently in the planning phase and the following information is being provided:

7. The project is currently in the planning phase and the following information is being provided:

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11. The project is currently in the planning phase and the following information is being provided:

12. The project is currently in the planning phase and the following information is being provided:

13. The project is currently in the planning phase and the following information is being provided:

14. The project is currently in the planning phase and the following information is being provided:

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permits 12848,
12849, and 12850 Issued on
Applications 11389, 15975 and 15976,

YOLO COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT,

Permittee,

and Permit 12349 Issued on
Application 12389,

LAKE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT,

Permittee.

Order: WR 76-14

Sources: North Fork Cache
Creek, Cache
Creek, and Kelsey
Creek

Counties: Lake and Yolo

P 12349

ORDER GRANTING EXTENSIONS OF TIME,
AMENDING PERMITS, AND REVOKING PERMIT

BY BOARD MEMBER ADAMS:

The time to commence construction work under Permit 12349 held by Lake County Flood Control and Water Conservation District (Lake County) having expired and the time to complete construction work under Permits 12848, 12849 and 12850 held by Yolo County Flood Control and Water Conservation District (Yolo County) having expired, petitions for extensions of time were filed by both districts. A public hearing was held before the State Water Resources Control Board (Board) on April 13, 1976, to determine whether extensions of time should be granted or the permits revoked. Permittees Lake County and Yolo County having appeared and presented evidence, the evidence having been duly considered, the Board finds as follows.

Permit 12349

1. The protests against extensions of time under Permit 12349 of Lake County were withdrawn prior to the hearing subject to revision of Permit Term 8, which as it now stands, makes Permit 12349 subject to the prior rights of Clear Lake Water Company to have certain levels of water maintained in Clear Lake. (Yolo County has succeeded to the interest of Clear Lake Water Company.) The proposed revised Term 8 similarly protects the prior rights of all the riparian owners on Clear Lake including those represented by the Clear Lake Water District and Yolo County. The proposed revised Term 8 was included in the permit that covers Lake County's proposed Scotts Creek project on another tributary to Clear Lake and should be substituted for the present Term 8 in Permit 12349.

2. Lake County has been proceeding with diligence in attempting to plan and finance its Kelseyville project covered by Permit 12349 since the permit was issued on July 5, 1960. The electorate in the zone of benefit recently approved a tax override to finance continuing study of the project (RT 45, 46). For the purpose of obtaining a PL-984 loan, the project is presently classified in "Category II" by the U. S. Bureau of Reclamation; which means that the project loan application is not being processed at the present time. However, Tudor Engineers, Lake County's engineering consultants, are confident that the project will be reclassified to "Category I" so that review of the loan application can resume (RT 48, 52).

Any extension of time granted under Permit 12349 should be on the condition that the Kelseyville project will be reclassified to "Category I" and will be actively considered for a PL-984 loan by December 1, 1977.

3. Water use in the Kelseyville project's zone of benefit is increasing, water developed by the Kelseyville Project can be beneficially used, and there has been a positive expression of support for the project from potential users (RT 72-74; Lake County's Exh. 6).

4. At the hearing Lake County requested further extension of time to March 1, 1979, to commence construction, to November 1, 1981, to complete construction and to May 1, 1982, to place water to beneficial use. The extensions of time should be granted except that the time requested to place water to beneficial use is not realistic and time should be extended to December 1, 1985, for that purpose. Further, Permit 12349 should be amended to include applicable standard permit terms adopted by the Board since it was issued.

Permit 12848, 12849, and 12850

5. At the time of the hearing, Yolo County submitted its Permit 12850 for revocation and requested that the authorized uses thereunder be included in the authorized uses under Permit 12849.

6. The protest to the requested extensions of time filed by Lake County has been withdrawn.

7. Yolo County's Indian Valley Reservoir covered by Permits 12848, 12849 and 12850 is expected to be completed this year and water from the reservoir is presently being used (RT 6, 15). Yolo County is no longer considering the construction of Wilson Valley, Blue Ridge and Esparto reservoirs. The elimination of those projects will reduce the water stored under Permits 12848 and 12849 from the presently authorized 1,480,000 annual acre feet (afa) to 300,000 afa with a total of 431,000 afa to be diverted by direct diversion and storage. As Permit 12848 covers 250,000 afa of storage, Permit 12849 should be reduced to 50,000 afa, thereby authorizing 300,000 afa of storage which is the capacity of Indian Valley Reservoir (RT 7).

8. Yolo County has requested that provision for other major storage facilities covered by the permits be deleted, that the date for completion of construction be extended to reflect the actual completion date, that the time allowed for placing water to beneficial use be extended from 1978 to 1980 due to construction delays. The requirement of diligence has been met and the requested time extensions should be granted.

9. Yolo County has requested the Board to eliminate the requirement of measuring evaporation from the water surface of Indian Valley Reservoir contained in Part (a) of Term 10 of the permits. Permittee is presently monitoring by means of a new gaging station on North Fork Cache Creek to measure inflow to Indian Valley Reservoir, a gage downstream from the reservoir, and

precipitation stations at Indian Valley Dam and in the upper watershed (RT 28, 29). The monitoring program now being carried on by the permittee appears adequate to supply the information needed and Part (a) of Term 10 should be amended accordingly.

From the foregoing findings it is concluded:

1. Permit 12349 should be amended as follows:

a. Permit Term 8 should be revised as follows:

"This permit is subject to the prior rights of the riparian owners on Clear Lake, including those represented by Clear Lake Water District and the prior rights of Clear Lake Water Company now owned by the Yolo County Flood Control and Water Conservation District. Should the level of Clear Lake not reach an elevation of 7.56 feet above zero as measured on the Rumsey gage at Lakeport, California, during the period from October 1 of each year to May 15 of the succeeding year, permittee shall, either by releases down the natural channel of Kelsey Creek or otherwise (including releases from other reservoirs), deliver into Clear Lake (a) the amount of water, as measured at the point of entry into Clear Lake, which would have reached Clear Lake had there been no storage of water under this permit during such period or (b) such lesser amount which, if not stored by permittee during such period, would have caused the level of Clear Lake to reach 7.56 feet on the Rumsey gage at some time during such period. Such delivery of water into Clear Lake shall be commenced no later than May 15 and completed by May 31 unless a smaller rate of release is necessary to avoid flood damage. The amount of water to be delivered into Clear Lake under clause (a) above shall be the amount stored under this permit during such period of October 1 to May 15 of the same water year.

"Notwithstanding the requirements for the release of water by permittee set forth above, if any water is released from Clear Lake by Yolo County Flood Control and Water Conservation District during the period from October 1 of any year to

May 15 of the succeeding year and not used beneficially under its prior rights (i.e., "spill"), then permittee shall be entitled to retain in storage water of the current season in an amount equal to the amount of water of the current season which is impounded at the time of any such release, even though Clear Lake does not reach said level of 7.56 feet.

"The Board shall retain continuing jurisdiction, on petition of permittee and after notice and hearing, to determine the method of ascertaining the amount of water described in clause (a) or (b) above and, also, to modify appropriately the foregoing release provisions keyed to failure of the lake to reach 7.56 feet if it be established that arrangements have been effected under which -- without regard to the lake reaching said level of 7.56 feet -- the lake levels will be protected adequately against any substantial reduction thereof during the recreational season (May 15 to September 30) below those levels which would have been obtained in the absence of the project."

b. Time to commence construction work should be extended to March 1, 1979, time to complete construction work should be extended to November 1, 1981, and time to place the water to beneficial use should be extended to December 1, 1985.

c. Permittee shall submit evidence satisfactory to the Board that the U. S. Bureau of Reclamation has reclassified the Kelseyville project to Category I and that the project is being actively considered for a PL-984 loan by December 1, 1977. Should the permittee fail to do so, Permit 12349 shall be revoked.

d. To include applicable standard permit terms.

2. Permit 12850 should be revoked.

3. Permits 12848 and 12849 should be amended as

follows:

a. To authorize municipal use.

b. The point of diversion for Indian Valley Reservoir should be changed to "south 38° 14' 57" west 6,629.4 feet from NE corner of Section 4, T14N, R6W being within the SW¼ of SW¼ of said Section 4".

c. The total amount of water diverted directly and to storage should be limited to 431,000 acre-feet per annum.

d. The authorized storage pursuant to Permit 12849 should be reduced to 50,000 acre-feet per annum.

e. The permit should refer to the new gaging station "North Fork Cache Creek" at Hough Springs.

f. The reference to Wilson Valley, Esparto, and Blue Ridge Reservoirs should be eliminated.

g. The permits should contain standard terms adopted by the Board since issuance of the permits.

h. The time allowed to complete construction under Permits 12848 and 12849 should be extended to January 15, 1977; the time to place water to beneficial use under Permits 12848 and 12849 should be extended to December 1, 1980.

IT IS SO ORDERED.

Dated: December 16, 1976

/s/ JOHN E. BRYSON
John E. Bryson, Chairman

/s/ W. DON MAUGHAN
W. Don Maughan, Vice Chairman

/s/ W. W. ADAMS
W. W. Adams, Member

/s/ ROY E. DODSON
Roy E. Dodson, Member

/s/ JEAN AUER
Jean Auer, Member

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1015, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814



WR ORDER NO. 73-3

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND
AMENDING PERMIT

PERMIT 12349

APPLICATION 12389

THE STATE WATER RESOURCES CONTROL BOARD FINDS THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 12349, PROVIDED THE PERMIT IS SUBJECTED TO THE ADDITIONAL TERMS SET FORTH IN THIS ORDER.

NOW THEREFORE A NEW DEVELOPMENT SCHEDULE IS APPROVED AS FOLLOWS:

- A. PRELIMINARY FEASIBILITY REPORT SHALL BE COMPLETED, LETTER OF INTENT TO APPLY FOR A LOAN FILED IN ACCORDANCE WITH PL 984, AND PROOF OF COMMENCEMENT OF DETAILED FEASIBILITY STUDY SUBMITTED TO THE STATE WATER RESOURCES CONTROL BOARD ON OR BEFORE MARCH 1, 1973.
- B. PROOF OF COMPLETION OF DETAILED FEASIBILITY REPORT AND ENVIRONMENTAL IMPACT STUDY REPORT AND FORMAL APPLICATION FOR FINANCING UNDER P L 984 SHALL BE SUBMITTED TO THE STATE WATER RESOURCES CONTROL BOARD ON OR BEFORE DECEMBER 1, 1973.
- C. CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE DECEMBER 1, 1974
- D. CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1976
- E. APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1980

IT IS FURTHER ORDERED THAT PARAGRAPH 7 OF THE PERMIT BE AMENDED TO READ AS FOLLOWS:

"ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT, INCLUDING METHOD OF DIVERSION, METHOD OF USE, AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER. PERMITTEE SHALL TAKE ALL REASONABLE STEPS NECESSARY TO MINIMIZE WASTE OF WATER, AND MAY BE REQUIRED TO IMPLEMENT SUCH PROGRAMS AS (1) REUSING OR RECLAIMING THE WATER ALLOCATED; (2) RESTRICTING DIVERSIONS SO AS TO ELIMINATE TAILWATER OR TO REDUCE RETURN FLOW; (3) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES;

[illegible]

(4) CONTROLLING PHREATOPHYTIC GROWTH; AND (5) INSTALLING, MAINTAINING, AND OPERATING EFFICIENT WATER MEASURING DEVICES TO ASSURE COMPLIANCE WITH THE QUANTITY LIMITATIONS OF THIS PERMIT AND TO DETERMINE ACCURATELY WATER USE AS AGAINST REASONABLE WATER REQUIREMENTS FOR THE AUTHORIZED PROJECT. AT ANY TIME AFTER NOTICE TO AFFECTED PARTIES AND OPPORTUNITY FOR HEARING, THE BOARD MAY IMPOSE SPECIFIC REQUIREMENTS OVER AND ABOVE THOSE CONTAINED IN THIS PERMIT, WITH A VIEW TO MEETING THE REASONABLE WATER REQUIREMENTS OF PERMITTEE WITHOUT UNREASONABLE DRAFT ON THE SOURCE."

IT IS FURTHER ORDERED THAT THE FOLLOWING TERMS BE ADDED TO THE PERMIT:

1. THIS PERMIT DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE LOSSES OR FOR ANY OTHER PURPOSE.
2. PERMITTEE SHALL ALLOW REPRESENTATIVES OF THE STATE WATER RESOURCES CONTROL BOARD AND OTHER PARTIES AS MAY BE AUTHORIZED FROM TIME TO TIME BY SAID BOARD, REASONABLE ACCESS TO PROJECT WORKS TO DETERMINE COMPLIANCE WITH THE TERMS OF THIS PERMIT.
3. PERMITTEE SHALL ACCORD TO THE PUBLIC, FOR THE PURPOSE OF FISHING, THE RIGHT OF ACCESS TO THE WATERS IMPOUNDED BY THE DAM UNDER THIS PERMIT DURING THE OPEN SEASON FOR THE TAKING OF FISH SUBJECT TO THE REGULATIONS OF THE FISH AND GAME COMMISSION.
4. PERMITTEE SHALL INSTALL AND MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER ENTERING THE RESERVOIR WHICH IS NOT AUTHORIZED FOR APPROPRIATION UNDER THIS PERMIT MAY BE RELEASED.
5. NO WATER SHALL BE DIVERTED UNDER THIS PERMIT UNTIL PERMITTEE HAS INSTALLED A DEVICE, SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, WHICH IS CAPABLE OF MEASURING THE FLOW REQUIRED BY CONDITIONS 8 AND 9 OF THE PERMIT. SAID MEASURING DEVICE SHALL BE PROPERLY MAINTAINED.
6. THE QUANTITY OF WATER DIVERTED UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE PERMITTEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

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7. IN ORDER TO PREVENT DEGRADATION OF THE QUALITY OF WATER DURING AND AFTER CONSTRUCTION OF THE PROJECT, PRIOR TO COMMENCEMENT OF CONSTRUCTION PERMITTEE SHALL FILE A REPORT PURSUANT TO WATER CODE SECTION 13260 AND SHALL COMPLY WITH ANY WASTE DISCHARGE REQUIREMENTS IMPOSED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, CENTRAL VALLEY REGION, OR BY THE STATE WATER RESOURCES CONTROL BOARD.

ADOPTED AS THE ORDER OF THE STATE WATER RESOURCES CONTROL BOARD AT A MEETING DULY CALLED AND HELD at Sacramento, California.

DATED: February 1, 1973

W. W. Adams
W. W. ADAMS, CHAIRMAN

Ronald B. Robie
RONALD B. ROBIE, VICE CHAIRMAN

E. F. Dibble
E. F. DIBBLE, MEMBER

Roy E. Dodson
ROY E. DODSON, MEMBER

ABSENT
MRS. CARL H. (JEAN) AUER, MEMBER

SECRET

SECRET

REMARKS: THE CHIEF OF POLICE, NEW YORK, ADVISED THAT HE HAD BEEN ADVISED BY A SOURCE THAT A GROUP OF INDIVIDUALS WERE PLANNING TO HOLD A MEETING IN NEW YORK CITY ON THE 15TH OF MAY, 1964. THE SOURCE STATED THAT THE MEETING WAS TO BE HELD AT THE NEW YORK PLAZA, AND THAT THE PARTICIPANTS WERE TO BE LIMITED TO FIFTY INDIVIDUALS. THE CHIEF OF POLICE STATED THAT HE HAD BEEN ADVISED THAT THE MEETING WAS TO BE HELD AT THE NEW YORK PLAZA, AND THAT THE PARTICIPANTS WERE TO BE LIMITED TO FIFTY INDIVIDUALS. THE CHIEF OF POLICE STATED THAT HE HAD BEEN ADVISED THAT THE MEETING WAS TO BE HELD AT THE NEW YORK PLAZA, AND THAT THE PARTICIPANTS WERE TO BE LIMITED TO FIFTY INDIVIDUALS.

IT IS THE POLICE DEPARTMENT'S POLICY TO MAINTAIN THE CONFIDENTIALITY OF THE SOURCE OF THIS INFORMATION. THE POLICE DEPARTMENT IS CURRENTLY CONSIDERING THE POSSIBILITY OF CONDUCTING AN INVESTIGATION INTO THE MATTER.

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STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

PERMIT 12349

APPLICATION 12389

THE STATE WATER RESOURCES CONTROL BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 12349; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

PROOF OF COMPLETION OF FEASIBILITY STUDY AND FORMAL APPLICATION FOR FINANCING UNDER THE DAVIS-GRUNSKY ACT OR EVIDENCE OF OTHER MEANS OF FINANCING THE PROPOSED PROJECT SHALL BE SUBMITTED TO THE STATE WATER RESOURCES CONTROL BOARD ON OR BEFORE	DECEMBER 1, 1972
CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE	DECEMBER 1, 1974
CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE	DECEMBER 1, 1976
APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE	DECEMBER 1, 1980

DATED: JUL 1 1971

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

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$\frac{1}{2} \times 10^4 \times 10^4 \times 10^4 = 5 \times 10^{12}$

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

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DECLASSIFIED BY: 6032
ON: 09-11-2013

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

APPLICATION 12389

PERMIT 12349

THE STATE WATER RESOURCES CONTROL BOARD HAVING DETERMINED THAT
GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP
THE PROJECT PROPOSED UNDER PERMIT 12349; AND HAVING DIRECTED THAT THIS
ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE
AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE DECEMBER 1, 1969

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1971

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL
BE COMPLETED ON OR BEFORE DECEMBER 1, 1972

DATED: MAR 22 1968

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 12389PERMIT 12349

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSIONS OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 12349; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

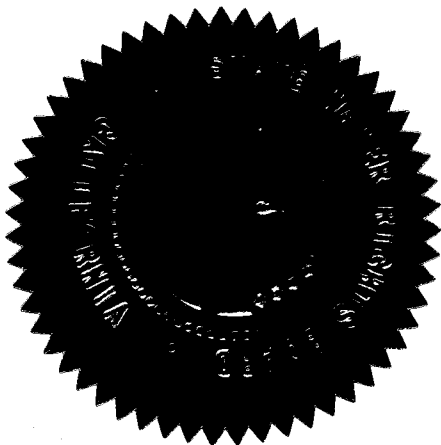
NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE	DECEMBER 1, 1967
CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE	DECEMBER 1, 1968
APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE	DECEMBER 1, 1972

WITNESS MY HAND AND THE SEAL OF THE STATE WATER RIGHTS BOARD

THIS 16th day of March, 1965

L. K. Hill
L. K. HILL
EXECUTIVE OFFICER



ORDER

APPLICATION 12389

PERMIT 12349

LICENSE _____

ORDER GRANTING EXTENSIONS OF TIME WITHIN WHICH TO
COMMENCE CONSTRUCTION WORK, COMPLETE CONSTRUCTION WORK,
AND COMPLETE BENEFICIAL USE

The State Water Rights Board having determined that good cause has been shown for extensions of time within which to commence construction work, complete construction work and complete application of water to the proposed use under Permit 12349 ; said Board having approved such extensions and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that extensions of time be and the same are hereby granted as follows:

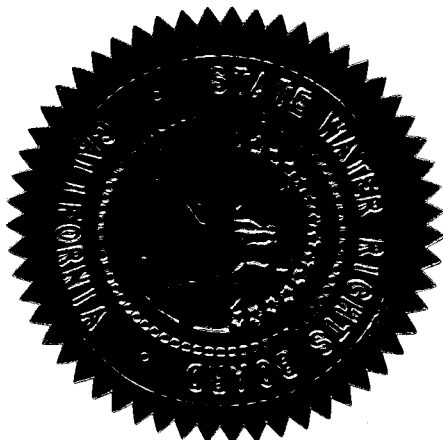
Within which to commence construction work - December 1, 1964.

Within which to complete construction work - December 1, 1967.

Within which to apply the water to complete
beneficial use - December 1, 1972.

WITNESS my hand and the seal of the State Water Rights Board
this 5 th day of June, 1963

L. K. Hill
L. K. Hill
Executive Officer



[For full information concerning the filling out of this form refer to
Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 12389 Filed March 8, 1948 at 8:50 A. M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

AMENDED APPLICATION RECEIVED 4-11-55--6-28-55

I, Big Valley Soil Conservation District Notice of Assignment (Over)
Name of applicant
of Lakeport County of Lake
Address
State of California, do hereby make application for a permit to appropriate the
following described unappropriated waters of the State of California, **SUBJECT TO VESTED RIGHTS:**

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Kelsey Creek
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
located in Lake County, tributary to Clear Lake (Cache Creek)

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use 100 cubic feet per
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day *See Special*
second, to be diverted from May 1 to September 30 of each year. *Permit*
Beginning date Closing date *Order*

(b) For diversion to be stored and later applied to beneficial use 41,000 acre-feet *No. 142*
1 acre-foot equals 325,851 gallons
per annum, to be collected between October 1 and June 30 April 1 of each season.
Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is Domestic and irrigation
Domestic, irrigation, power, municipal, mining, industrial, recreational
purposes.

4. The point of diversion is to be located at X = 1,760,500 Y = 461,600
State bearing and distance or coordinate distances from section or quarter section corner
California Coordinate System, Zone 11

being within the NE¹ of SE¹
State 40-acre subdivision of public land survey or projection thereof
of Section 34, T. 13N, R. 9W, M. D. B. & M., in the County of Lake

5. The main conduit terminates in See map of Sec. _____, T. _____, R. _____, B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from _____
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being 141 feet in height (stream bed to
level of overflow); 354 feet long on top; and constructed of earth
Concrete, earth, brush, etc.

(c) The storage dam will be 141 feet in height (stream bed to overflow level); 354 feet
long on top; have a freeboard of approx. 4 feet, and be constructed of earth
Concrete, earth, etc.

7. Storage Reservoir Kelseyville
Name

The storage reservoir will flood lands in _____
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of 730 acres, and a capacity of 41,000 acre-feet.

In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

8. Conduit System (describe main conduits only)

(a) ~~Canal~~ ~~XXXXXX~~ Width on top (at water line) 26,000 feet; depth of water 5.0 feet; length 74,000 feet; grade 0.4 feet per 1,000 feet; materials 12 East main 24 West main 30 feet; width at bottom 14

(b) Pipe line: Diameter inches; length feet; grade feet per fall from intake to outlet 1,000 feet; total lift feet; kind riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is West main 190 cfs. East main 290 cfs. Total 480 cfs. The estimated cost of the diversion works proposed is \$ 3,260,000

(Barthill dam \$2,360,000 (Main canals—\$500,000; laterals and drains \$400,000)

Completion Schedule

10. Construction work will begin on or before when a district is formed which will assume responsibility of the construction and maintenance of the structure. Construction work will be completed on or before within a reasonable time. The water will be completely applied to the proposed use on or before 10 years after construction is completed.

Description of Proposed Use

11. Place of Use. 6600 acres within the boundaries shown on the accompanying map State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? NO Jointly? Yes or No

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him. 12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1.				
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary. 13. Irrigation Use. The area to be irrigated is 6600 acres. State net acres to be irrigated. The segregation of acreage as to crops is as follows: Rice None acres; alfalfa 400 acres; orchard 5500 acres; general crops 300 acres; pasture 400 acres. NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map. The irrigation season will begin about May 1 and end about October 30 Beginning date Closing date

14. Power Use. The total fall to be utilized is feet. Difference between nozzle or draft tube water level and first free water surface above The maximum amount of water to be used through the penstock is cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is horsepower. The use to which the power is to be applied is For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is Turbines, Pelton wheel, etc.

The size of the nozzle to be used is inches.

The water will not be returned to Name stream in State 40-acre subdivision of

Sec. T. R. B. & M.

15. Municipal Use. This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only
_____ having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. Mining Use. The name of the mining property to be served is _____
Name of claim
_____ and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water will be polluted by chemicals or otherwise _____
will not Explain nature of pollution, if any

and it will be returned to _____ in _____ of
will not Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____

17. Other Uses. The nature of the use proposed is Domestic
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. 600 houses, 2000 people. Domestic gardens.
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type

615 range cattle; 10 horses; 20 hogs; 220 sheep; 145 dairy cows.
industrial use, and unit requirements.

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes Yes or No. If not, state specifically the time required for filing same. _____

19. Does the applicant own the land at the proposed point of diversion? No Yes or No. If not, give name and address of owner and state what steps have been taken to secure right of access thereto No action to date
Owner: David J. Cox, Kelseyville, California

20. What is the name of the post office most used by those living near the proposed point of diversion?

Kelseyville, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? none known

BIG VALLEY SOIL CONSERVATION DISTRICT

[SIGNATURE OF APPLICANT] /s/ William Guyer F. M. Davidson
William Guyer, President F. M. Davidson
Secretary

PERMIT No. 12343

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used and shall not exceed forty-one thousand (41,000) acre-feet per annum to be collected from about October 1 of each year to about April 1 of the succeeding year.
2. The maximum amount herein stated may be reduced in the license if investigation so warrants.
3. Actual construction work shall begin on or before December 1, 1962, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked.
4. Construction work shall be completed on or before December 1, 1965.
5. Complete application of the water to the proposed use shall be made on or before December 1, 1970.
6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.
7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.
8. This permit is subject to the prior rights of Clear Lake Water Company. Should the level of Clear Lake not reach an elevation of 7.56 feet above zero as measured on the Rumsey gage at Lakeport, California, during the period of October 1 of each year and April 1 of the succeeding year, permittee shall, upon demand of the Clear Lake Water Company, release from the reservoir into the natural stream channel the water impounded during the storage season under this permit. Such releases are to be made at the maximum flow practical.

Provided, however, that the amount of water released shall be sufficient only to meet the aforesaid elevation requirement.

Provided further that any water released from Clear Lake by Clear Lake Water Company during the period October 1 of each year to April 1 of the succeeding year for purposes other than irrigation shall be considered surplus regardless of the level of Clear Lake at the time of said release, and the permittee shall be entitled to retain an equivalent amount of water for storage in accordance with the priority of permits subject to this same condition even though Clear Lake does not reach the level of 7.56 feet on the Rumsey gage.

9. Permittee shall during the period from about October 1 of each year to about April 1 of the succeeding year by-pass a minimum flow of 15 cubic feet per second or the natural flow of the stream, whenever it is less than 15 cubic feet per second, at the point of diversion to maintain fish life.
10. In accordance with Water Code Section 1393 permittee shall clear the site of the proposed reservoir of all structures, trees, and vegetation which would interfere with the use of the reservoir for water storage and recreational purposes.
11. A separate application for approval of plans and specifications for construction of the dam shall be filed with and approved by the Department of Water Resources prior to the construction of the dam described in this approved water right application.
12. Insofar as Application 12389 proposes appropriation of water by direct diversion during the period May 1 to September 30 of each year, and storage during the months of April, May, and June, the same is not authorized by this permit.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

- Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.
- Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.
- Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), or for any rights granted or acquired under the public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: JUL 5 1960



STATE WATER RIGHTS BOARD

L. K. HILL
Executive Officer

11-25-64 RECEIVED NOTICE OF ASSIGNMENT TO

Saka County Flood
Control & Water Conservation
Dist.